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Letter dated 14 April 2009 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council

I should like, first of all, to congratulate you upon assuming the presidency of the Security Council for April 2009, and to wish you every success.

I write with reference to the comprehensive report (S/2009/190), which includes an update on the progress that has been made since the appointment of Ambassador Gennady Tarasov as the High-level Coordinator with respect to compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals, or their remains, and the return of all Kuwaiti property, including archives, seized by Iraq in the course of their invasion of my country on 2 August 1990.

We are very grateful to the Secretary-General of the United Nations, Mr. Ban Ki-moon, for having submitted that report on the achievements of the High-level Coordinator over the past one year in respect of the files which remain pending between the fraternal countries of Iraq and Kuwait and have yet to be closed. Those files concern Kuwaiti and third-country prisoners and missing persons and Kuwaiti property and, in particular, the National Archives, which constitute the State memory and history. We appreciate the genuine and sustained endeavours exerted by Ambassador Tarasov regarding those issues. I should like to stress that Kuwait has every confidence in the High-level Coordinator and supports him in carrying out his mandate.

I should also like to underline that Kuwait currently enjoys fraternal, friendly and cooperative relations with Iraq in various fields. Kuwait was one of the first States to provide support and assistance to its brothers in Iraq, and continues to extend that support, with a view to enabling Iraq to regain the position it deserves. That position was impaired by the former Iraqi regime when it invaded and occupied my country on 2 August 1990, as a consequence of which Iraq became liable to obligations under Security Council resolutions that were adopted pursuant to the Charter of the United Nations, Chapter VII, and under the agenda item "The situation between Iraq and Kuwait".

The question of Kuwaiti and third-country prisoners and missing persons has significant humanitarian and social dimensions, and Kuwait attaches particular importance to determining the fate and finding the remains of those missing persons. The aforementioned report affirms that the regime of Saddam Hussein eliminated them, shooting them from behind, and that they were buried in various

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mass graves throughout Iraq. Those burial sites must be found and the remains returned to their families, who are waiting impatiently to find out the fate of their loved ones.

In his latest report, the Secretary-General also refers to the fact that the mandate of the High-level Coordinator was outlined in resolution 1284 (1999), paragraph 14, and consists of helping to close the files pending between Iraq and Kuwait. That indicates that the Security Council wishes those files to remain under the full supervision of the United Nations and the High-level Coordinator until such time as they are closed. The files concerning Kuwaiti and third-country prisoners and missing persons and the return of Kuwaiti property remain open. It is therefore appropriate that the mandate of the High-level Coordinator should continue, as Kuwait wishes and requests.

Kuwait therefore supports the proposal put forward by the Secretary-General to the effect that the mandate should be extended to June 2010, provided that the Security Council then considers the issue and takes the action it deems appropriate.

I should be grateful if you would circulate this letter as a document of the Security Council.

(*Signed*) Abdullah **Al-Murad**
Ambassador
Permanent Representative